

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT**

IN RE:

Scott C Denson
Debtor(s)

CHAPTER 13

CASE NUMBER: 18-32635

JUDGE Daniel S Opperman

OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT CORPORATION

NOW COMES Debtors, by and through their attorney, and hereby objects to claims #12 filed by Toyota Motor Credit Corporation. (hereinafter "Creditor") on the following basis:

1. On January 16, 2019, Creditor filed claim #12 in the amount of \$15,285.56 for secured claim on 2014 Toyota Camry.
2. Debtor prior to filing Bankruptcy hired Toyota Finance Corps mediary to sell the vehicle on Craigslist. The vehicle was sold and the mediary informed the Debtor that the check had cleared allowing the Buyer to take possession of the 2014 Toyota Camry with a clear title. Days after the sale, Toyota Finance Corp contacted the Debtor stating that the check did not actually clear making the Debtor responsible for the remaining balance. (Exhibit A)
3. Debtor objects to the secured claim as the balance has been paid in full (Exhibit B).
4. Debtor has also received an overpayment refund from Toyota Motor Credit Corporation proving that the debt has been paid in full (Exhibit C).
5. Debtor has a pending litigation against Toyota Motor Credit Corporation, as indicated on Schedule B of the Bankruptcy Petition. Debtor's attorney is Dani Liblang, Liblang & Associates, 346 Park St, Birmingham, MI 48009, (248) 540-9270.
6. That Debtor requests that the Court Deny Toyota Motor Credit Corporation's Claim as the debt has been paid in full.

WHEREFORE, Debtors pray this Honorable Court enter an order denying the Creditor's claim, #12 as the debt had been paid in full.

Dated: February 14, 2019

/s/ Anthony Abueita
Anthony Abueita P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669
abueitalaw@gmail.com

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IN RE:

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JUDGE Daniel S Opperman

**ORDER GRANTING OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT
CORPORATION**

This matter having come on for hearing before the Court by way of the objection of the Debtor to the allowance of the claim of the above referenced creditor, service having been made with a notice of hearing allowing a thirty (30) day notice pursuant to Bankruptcy Rule 3007, a hearing having been held, the Court having heard the matter in open Court and for the reason stated on the record;

NOW THEREFORE,

IT IS HEREBY ORDERED that the Creditor's claim, #12 is denied as debt has been paid in full.

**UNITED STATES BANKRUPTCY COURT
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IN RE:

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CHAPTER 13

CASE NUMBER: 18-32635

JUDGE Daniel S Opperman

NOTICE OF OBJECTION TO CLAIM #2 OF ALLY FINANCIAL

Jamie Badger, by and through her attorney Anthony Abueita, has an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified or denied. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before March 12, 2019, you or your lawyer must:

File with the court a written response to the objection, explaining your position at:¹

United States Bankruptcy Court
226 West Second St
Flint, MI 48502

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above

You must also mail a copy to:

Anthony Abueita
703 S. Grand Traverse
Flint, MI 48502
810.235.8669

Chapter 13 Trustee
400 N. Saginaw St., Suite 331
Flint, MI 48502

Attend the hearing on the objection, scheduled to be held on **03/19/2018 at 10:00 a.m.** at US Bankruptcy Court Courtroom, 226 West Second St., Flint, MI 48502.

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the objection to your claim.

February 14, 2019

/s/ Anthony Abueita
Anthony Abueita P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669 / abueitalaw@gmail.com

¹ Response or answer must comply with F.R.Civ. P. 8(b), (c) and (e)

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PROOF OF SERVICE

I, Anthony Abueita, hereby swear under penalty of perjury that on the date indicated below, I served copies of the following documents:

- 1. OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT CORPORATION**
- 2. NOTICE OF OBJECTION TO CLAIM**
- 3. NOTICE OF HEARING**
- 4. PROOF OF SERVICE**

Upon the following parties at the addresses as indicated below by first class mail of the following documents:

Toyota Motor Credit Corporation
P.O. Box 9013
Addison, TX 75001

Toyota Motor Credit Corporation
PO BOX 9490
Cedar Rapids, IA 52409

Jason A Cottrill
Bonial & Associates, PC
PO BOX 9013
Addison TX, 75001

and the US Trustee and Chapter 13 Trustee via ECF.

February 14, 2019

/s/ Anthony Abueita
Anthony Abueita P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669
abueitalaw@gmail.com